IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 551/1999

SURESH CHAND & ORS. Vs. STATE OF RAJASTHAN & ORS.

Date: 18.12.2006.

HON'BLE MR. K.S. RATHORE, J.

Mr. Satyapal Sinha for
Mr. Karan Pal Singh for the petitioners.
Mr. D.D. Sharma, Dy. GA for the State.

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The petitioners were appointed vide order dated 23.01.96 pursuant to the order of the Director dated 28.06.95 and were allotted respective areas for the purpose of implementing the Scheme of programme.

It is not disputed that the petitioners were given appointment for fixed term and were appointed as Supervisors of their respective centres. By way of this writ petition, the petitioners claimed that they may be given regular pay scale on the principle of Equal Pay for Equal Work as has been granted to regularly appointed Supervisors with other benefits which are admissible to the regular appointed Supervisors.

Per contra, learned counsel for the respondents submits that the writ petition is not maintainable as in the identical matter the Divison

Bench of Jodhpur High Court in D.B. Special Appeal No. 982/98 dismissed the appeal filed against the order of the learned Single Judge by which the writ petition was dismissed. It is also stated that the identical question was raised before the Hon'ble Supreme Court in Civil Appeal No. 4195/94 and the Hon'ble Supreme Court denied the regular pay scale to the supervisor in non formation education programme.

As per the ratio decided by the Hon'ble Supreme Court and the Division Bench of this Court, as the petitioners are given appointment for fixed term and were paid only honorarium and the Hon'ble Supreme Court has denied the regular pay scale to such supervisors who are only given appointment to implement a particular programme, therefore, the petitioners are not entitled to get the regular pay scale under the principle of Equal Pay for Equal Work.

Consequently, the writ petition fails and the same is hereby dismissed.

(K.S. RATHORE),J.

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